

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANDREW VOLPE,

Plaintiff,

-against-

C.O. PAUL ENGELHARDT; C.O. DENNIS
DOHERTY; C.O. FRANK CISLER; C.O. RICARDO
FLORES; and C.O. THOMAS MONTREUIL
Defendants.

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VITALIANO, D.J.

MEMORANDUM AND ORDER
07-CV-3995 (ENV)(LB)

On August 12, 2008, the Court received a letter from defendants, Paul Engelhardt, Dennis Doherty, Frank Cisler, Ricardo Flores and Thomas Montreuil, requesting that this case be transferred to the Central Islip courthouse of the Eastern District of New York pursuant to Rule 50.1(d)(2) of the Guidelines for the Division of Business Among District Judges ("Guidelines"). Although Rule 50.1(d)(2) of the Guidelines allows for a case to be designated a "Long Island case" if "the cause arose wholly or in substantial part in Nassau or Suffolk County", the Guidelines also make clear that these rules are adopted for internal management of the court's caseload and do not "vest any rights in litigants or their attorneys." Guidelines Preamble; see also U.S. v. All Funds on Deposit in Bus. Money Mkt. Account No. 028-0942059-66, 319 F. Supp. 2d 290, 292-93 (E.D.N.Y. 2004).

Therefore, defendants' request is denied, though such denial does not prevent the parties from agreeing to consent to trial by a Magistrate Judge who would be randomly assigned from the Long Island assignment wheel.

SO ORDERED

DATED: Brooklyn, New York
October 6, 2008

s/ENV

ERIC N. VITALIANO
United States District Judge